

AF/5736  
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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): **Brian Torok et al.**

Docket No.

**133114-02CP**

Application No.

**09/758,978**

Filing Date

**January 12, 2001**

Examiner

**Robert L. Nasser**

Customer No.

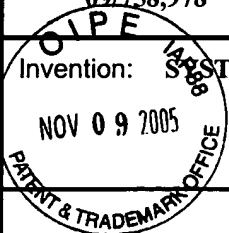
**50659**

Group Art Unit

**3736**

Invention: **SYSTEM FOR IDENTIFYING PREMATURE RUPTURE OF MEMBRANE DURING PREGNANCY**

NOV 09 2005



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney Docket No. 133114-02CP

Group Art Unit: 3736

Examiner: Robert L. Nasser

Inventors: Torok *et al.*

Serial No.: 09/758,978

Filed: January 12, 2001

For: SYSTEM FOR IDENTIFYING PREMATURE RUPTURE OF  
MEMBRANE DURING PREGNANCY

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Mail Stop Appeal Brief – Patents  
Commissioner for Patents  
P.O. Box 1450  
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**SUPPLEMENTAL REPLY BRIEF**

Appellants respectfully submit the present Supplemental Reply to Supplement their Reply to the Examiner's Answer mailed August 1, 2004.

In Appellants' Reply Brief it was stated that

"Appellants also note that evidence of the irritating characteristics of bromothymol blue *may* have been submitted in USSN 09/595,594 (co-owned by Appellants herein), now abandoned, which is the parent case to the patent application under appeal. This application which was a continuation of USSN 09/351,875 (now issued as USPN 6,149,590), which was a continuation of USSN 09/120,829 (now issued as USPN 6,126,597). The Appellants are trying to obtain a copy of the file history for USSN 09/595,594 to confirm this one way or the other and will promptly submit a clarifying Supplemental Reply Brief."

Since the filing of their Reply Brief Appellants have obtained a copy of the file history for USSN 09/595,594 and have carefully reviewed the documents in

this file history. The supposed evidence demonstrating irritating characteristics of bromothymol blue does not, in fact, appear among these documents. The undersigned Attorney for Appellants apologizes for any confusion that may have been created. The undersigned Attorney for Appellants acted without deceptive intent.

**CONCLUSION**

Appellants again respectfully submit that the appealed application is in condition for allowance and that the Examiner's outstanding rejections of this application are in error and should be reversed.

Respectfully submitted,



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Dated: November 7, 2005